

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

**UNITED STATES OF AMERICA,**

**v.**

**MARILYN POWELL**

)  
)  
)  
)  
)

**No. 3:05-CR-7  
(Phillips)**

**ORDER**

This matter came before the court on the defendant's *pro se* motion to modify her payment schedule as set by her Bureau of Prisons case worker. On March 2, 2006, judgment was entered against defendant wherein she was found guilty of aiding and abetting making false, fictitious or fraudulent claims against the United States and ordered to pay restitution in the amount of \$59,865.28 to the United States Internal Revenue Service. Because defendant's motion does not state that she has exhausted the administrative remedies available to her under the Inmate Financial Responsibility Program, 28 C.F.R. § 542.10(a), this court lacks subject matter jurisdiction over defendant's motion. Accordingly, defendant's motion to modify her payment schedule [Doc. 63] is **DENIED.**

**ENTER:**

\_\_\_\_\_  
s/ Thomas W. Phillips  
United States District Judge